

March 1, 1976

SENATOR STULL: Mr. President, members of the Legislature, this goes back to LB 43 that I introduced in the Legislature in 1973 and it was carried over to the short session and was passed in 1974. Now last year was the first year that the thing was really in operation and funded. Being a new program, well, originally there was an appropriation of about \$467,000 appropriated to fund the bill. That was lined out by the Governor and it was funded the first year at \$160,000. I visited with the Governor about this and we accepted it for the first year with the understanding, if there was a deficiency, we would pick it up. We didn't know for sure how many students would come under this. But getting back to the intent of the bill, I don't know whether it was brought out in debate but it was certainly my intent that that would be from the courts in Nebraska. Now I am having just a little bit of difficulty but I think if I understand Senator Murphy, these people that he is talking about are actually wards of the court in Nebraska although they probably are from Iowa. Am I right on that, Senator Murphy? Senator Murphy.

SENATOR MURPHY: Yes, sir.

SENATOR STULL: Are these wards that you are talking about, are they wards of a court in Nebraska or wards of a court in Iowa?

SENATOR MURPHY: They are wards of an Iowa court placed in Nebraska through a service agency in Iowa.

SENATOR STULL: Well, now, I would really have a question under the intent of the bill whether we would be liable for that because I am just sure it was pointed out in the debate and we would have to go back and dig this up but it was to cover only the wards of the courts of Nebraska. Now the Department of Education set up some fairly strict rules of how they would determine eligibility and I think perhaps they are trying to live up to the rules that they sat out and one of the things to be eligible the people that is keeping them or the school has to come up with the certification from the court that proves that they are a ward of that court and it is fairly restrictive and we need to have it tied down so that we don't pay for some that are not actually intended to be under this bill.

SENATOR MURPHY: Senator Stull, if I may, was it not the intent of the bill to create a payment for wards of a court? Now you say a Nebraska court and I will accept that as having been your thought in your particular area but the situation spoken to certainly does not concern the child nor the district but simply speaks to the situation of a district that has children who do not have a tax base and, therefore, create a burden that the state should supplement, and in this case, I don't think identification of be it Iowa or Nebraska court really is that pertinent under the circumstances. The real problem to be spoken to is not is it a Nebraska